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CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
RIVERSIDE

BY: *[Signature]*

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

September 2012 Grand Jury

UNITED STATES OF AMERICA,

ED No. CR 12-00092 (A) -VAP

Plaintiff,

F I R S T S U P E R S E D I N G
I N D I C T M E N T

v.

[18 U.S.C. § 2339A: Conspiracy to
Provide Material Support to
Terrorists]

SOHIEL OMAR KABIR,
RALPH KENNETH DELEON,
aka "Ralph De Leon,"
aka "Rafiq Abdul Raheem,"
aka "Ya Seen,"
aka "Ya Sin,"

MIGUEL ALEJANDRO VIDRIALES
SANTANA,

aka "Miguel Santana,"
aka "Muhammad Khalid
Mikaeel Khattab," and

ARIFEEN DAVID GOJALI,
aka "Arifeen Ghazali,"
aka "Arifeen Ghozali,"
aka "Arifeendavud
Gojali,"

Defendants.

The Grand Jury charges:

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1 [18 U.S.C. § 2339A]

2 A. OBJECT OF THE CONSPIRACY

3 1. Beginning in or around August 2010 and continuing up to
 4 and including November 16, 2012, in San Bernardino and Los Angeles
 5 Counties, within the Central District of California, and elsewhere,
 6 defendants SOHIEL OMAR KABIR ("KABIR"), RALPH KENNETH DELEON, also
 7 known as ("aka") "Ralph De Leon," aka "Rafiq Abdul Raheem," aka "Ya
 8 Seen," aka "Ya Sin" ("DELEON"); MIGUEL ALEJANDRO VIDRIALES SANTANA,
 9 aka "Miguel Santana," aka "Muhammad Khalid Mikaeel Khattab"
 10 ("SANTANA"); ARIFEEN DAVID GOJALI, aka "Arifeen Ghazali," aka
 11 "Arifeen Ghozali," aka "Arifeendavud Gojali" ("GOJALI"); and others
 12 known and unknown to the grand jury; conspired and agreed with each
 13 other to provide material support and resources, as that term is
 14 defined in Title 18, United States Code, Section 2339A(b)(1),
 15 including property, services, and personnel, including themselves,
 16 knowing and intending that they were to be used in preparation for,
 17 and in carrying out, violations of the following federal laws:

18 a. Title 18, United States Code, Section 956 (conspiracy
 19 to commit at a place outside the United States an act that would
 20 constitute the offense of murder, kidnapping, or maiming, if
 21 committed in the special maritime and territorial jurisdiction of
 22 the United States, where one of the conspirators committed an act
 23 within the jurisdiction of the United States to effect an object of
 24 the conspiracy);

25 b. Title 18, United States Code, Section 1114 (killing
 26 and attempting to kill officers and employees of the United States
 27 and of any agency or branch of the United States (including members
 28 of the uniformed services), while such officers and employees were

1 engaged in or on account of the performance of official duties, and
2 any person assisting such officers and employees);

3 c. Title 18, United States Code, Sections 2332(a) and
4 (b) (killing, attempting, and conspiring to kill, a national of the
5 United States while such national is outside the United States);

6 d. Title 18, United States Code, Section 2332a(b)
7 (using, and threatening, attempting, and conspiring to use, a weapon
8 of mass destruction outside of the United States); and

9 e. Title 18, United States Code, Section 2332f
10 (delivering, placing, discharging, and detonating, and attempting
11 and conspiring to deliver, place, discharge, and detonate, an
12 explosive or other lethal device into or against a place of public
13 use, a state or government facility, a public transportation system,
14 and an infrastructure facility, with the intent to cause death and
15 serious bodily injury and to cause extensive destruction to such
16 places, facilities, and systems).

17 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE

18 ACCOMPLISHED

19 The object of the conspiracy was to be accomplished in
20 substance as follows:

21 1. Defendants KABIR, DELEON, SANTANA, and GOJALI would
22 coordinate travel from the United States in order to meet with and
23 join other persons overseas, including members of the Taliban and
24 Al-Qa'ida, in order to engage in violent jihad against United States
25 civilian and military personnel and others.

26 2. Defendant KABIR would depart the United States, relocating
27 temporarily in Germany before traveling to Kabul, Afghanistan, in
28 approximately July 2012.

1 3. While in Afghanistan, defendant KABIR would contact
2 individuals in Afghanistan to make arrangements for himself and the
3 remaining defendants to join others, including members of the
4 Taliban and Al-Qa'ida, in order to engage in violent jihad.

5 4. While in Afghanistan, defendant KABIR would communicate
6 with and provide direction to defendants DELEON, SANTANA, and GOJALI
7 regarding traveling from the United States to Afghanistan and to
8 potential intermediate destinations, including the United Arab
9 Emirates, Turkey, and Saudi Arabia.

10 5. To conceal defendants' true intentions, defendants KABIR,
11 DELEON, SANTANA, and GOJALI would use coded language when
12 communicating with each other about some of their activities,
13 including plans to travel overseas.

14 6. While in the United States, defendants DELEON, SANTANA,
15 and GOJALI would participate in training, including physical
16 exercise, paintball activities, and shooting M16 and AK-47 style
17 assault rifles and other firearms.

18 7. While in the United States, defendants DELEON and SANTANA
19 would obtain valid passports to facilitate their departure from the
20 United States and subsequent overseas travel for the purpose of
21 meeting with and joining defendant KABIR and others, including
22 members of the Taliban and Al-Qa'ida, in order to engage in violent
23 jihad, including against American civilian and military personnel
24 and others.

25 8. While in the United States, defendant GOJALI would obtain
26 a valid United States passport by falsely representing that he
27 needed a passport to travel to Dubai, United Arab Emirates, in order
28 to attend his grandfather's funeral when, as defendant GOJALI well

1 knew, his true purpose was to travel overseas with defendants DELEON
2 and SANTANA to meet with and join defendant KABIR and others,
3 including members of the Taliban and Al-Qa'ida, in order to engage
4 in violent jihad.

5 9. While in the United States, defendant DELEON would
6 withdraw from school, obtain a refund of his tuition money, and sell
7 his car in order to raise money for the group's travel expenses.

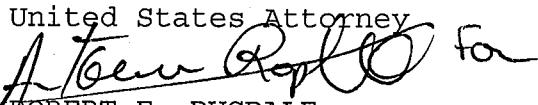
8 10. While in the United States, defendants DELEON, SANTANA,
9 and GOJALI would purchase airline tickets for flights from Mexico
10 City to Istanbul, Turkey.

11 11. To avoid detection, defendants DELEON, SANTANA, and GOJALI
12 would plan to depart the United States by driving to Mexico in order
13 to fly from Mexico City to Istanbul, Turkey, en route to meet with
14 and join defendant KABIR and other persons and thereafter engage in
15 violent jihad.

16 A TRUE BILL

17 
18 Foreperson

19 ANDRÉ BIROTTE JR.

20 
21 United States Attorney

22 ROBERT E. DUGDALE

23 Assistant United States Attorney
24 Chief, Criminal Division

25 PATRICK R. FITZGERALD

26 Assistant United States Attorney
27 Chief, National Security Section

28 SUSAN J. De WITT

Assistant United States Attorney
Deputy Chief, National Security Section

CHRISTOPHER D. GRIGG

Assistant United States Attorney
National Security Section